Minnesota Pollution Control Agency

January 7, 2004

CERTIFIED MAIL NO. 7003 2260 0000 9744 2387
RETURN RECEIPT REQUESTED

Mr. James D. McConnell
General Manager
United States Steel Corporation
P.O. Box 417
Mt. Iron, MN 55768-0417

RE: FINAL ISSUANCE NPDES/SDS PERMIT MN0052493
Minntac Mining Area
Mt. Iron, Minnesota

Dear Mr. McConnell:

We are enclosing the final issued National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) water quality permit for this facility. This reissued permit supersedes the previous NPDES/SDS permit that was issued on December 18, 1996.

The Minnesota Pollution Control Agenecy (MPCA) would like to extend our appreciation to your staff, particularly David King, for their efforts during this permit reissuance process.
Mr. King has been helpful throughout this process in responding to our inquiries, educating our staff about the nature of your operations, and striving to ensure that the facility is managed in an environmentally responsible manner.

Discharge Monitoring Report forms to be used in reporting the required monitoring and analyses will be sent to you within 45 days of permit issuance. Please contact us if you have not received these report forms at least one week before your first required report submittal date.

Compliance with the terms and conditions of this permit is required as of the date of issuance. Please note that the new monitoring and limit requirements take effect on this issuance date.

If you have any questions concerning the final permit or related materials, please contact Jim Strudell at (651)296-7238.

Sincerely,

Ann M. Foss
Major Facilities Section Manager
Majors and Remediation Division

AMF:lmg

Enclosures: Final Issued Permit

cc: David King, United States Steel-Environmental
USEPA-Chicago (w/ final permit)

STATE OF MINNESOTA

Minnesota Pollution Control Agency

Majors and Remediation Division

National Pollutant Discharge Elimination System (NPDES) and State Disposal System (SDS) Permit MN0052493

PERMITTEE: U. S. STEEL CORPORATION

FACILITY NAME: Minntac Mining Area

RECEIVING WATERS: Unnamed wetlands and ditches tributary to the East Two River, Parkville Creek, the West Branch of the East Two Rivers, the East Branch of the West Two River, two unnamed creeks tributary to the West Two River Reservoir, an unnamed creek tributary to Kinross Creek, unnamed creeks and wetlands tributary to Kinney Lake, Kinney Creek, Kinney Lake, Forsyth Pit Lake, the Western Drainage Ditch, an unnamed creek tributary to Kinney Creek, and unnamed wetlands

CITY/TOWNSHIP: Mountain Iron, Kinney, Great Scott & Wuori Townships **COUNTY: St. Louis**

ISSUANCE DATE: January 7, 2004 **EXPIRATION DATE: November 30, 2008**

The state of Minnesota, on behalf of its citizens through the Minnesota Pollution Control Agency (MPCA), authorizes the Permittee to construct, install and operate a disposal system at the facility named above, and to discharge from this facility to the receiving waters named above, in accordance with the requirements of this permit.

The goal of this permit is to protect water quality according to Minnesota and U.S. statutes and rules, including Minn. Stat. chs. 115 and 116, Minn. R. chs. 7001, 7050, 7052 and 7060, and the U.S. Clean Water Act.

This permit is effective on the issuance date identified above, and supersedes the previous permit that was issued for this facility on December 18, 1996.

This permit expires at midnight on the expiration date identified above.

Signature: Ann Foss

Ann M. Foss *for the* Minnesota Pollution Control Agency
Major Facilities Section Manager
Majors and Remediation Division

If you have questions on this permit, including the specific permit requirements, permit reporting or permit compliance status, please contact:

Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155-4194
Telephone: (651) 296-7238
Fax: (651) 297-2343
Telephone Device for Deaf (TTY): (651) 282-5332

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Permitted Facility Description

Written Description

The principal activity at this facility is the open-pit mining of taconite ore (Biwabik Iron-formation), at a maximum rate of 55 million long tons/year, for processing into iron ore pellets. The facility consists of the excavation areas, mining waste disposal areas, railroad yards, materials and equipment storage areas, haul roads, plant areas and wastewater disposal systems within the area designated on the maps on pages 6 and 7, except for those facilities covered by State Disposal System (SDS) permit MN0050504 or by National Pollutant Discharge Elimination System (NPDES)/SDS permit MN0040835.

Active excavation operations are conducted in the East and West Minntac Pits, both of which are dewatered by pumping. The west end of the West Minntac Pit is dewatered by four possible routes. One of these routes discharges pumped flow from pipe outfall SD003 (formerly 030) to Kinney Lake to Kinney Creek and unnamed wetlands, at average and maximum rates of 7.2 and 18 million gallons per day (MGD). The second dewatering route from the West Minntac Pit conducts pumped flow from a pipe to the Atkins Pit, which overflows at average and maximum rates of 7.2 and 14 MGD through ditch outfall SD002 (formerly 020) to an unnamed creek and wetlands tributary to Kinney Lake. A third pump dewatering outfall from the West Minntac Pit routes flow south through pipe outfall SD007 (formerly 070) to an unnamed creek tributary to Kinross Creek and unnamed wetlands, at average and maximum rates of 2.3 and 3.0 MGD. The westward extension of the West Pit may result in establishing a new pit dewatering discharge, pipe outfall SD010 (formerly 092), at average and maximum rates of 2.3 and 4.6 MGD, to the Western Drainage Ditch to an unnamed creek and unnamed wetlands tributary to Kinney Creek. The east end of the East Minntac Pit is dewatered by gravity flow to the Prindle and Wheeling Pits, which are in turn pumped at combined average and maximum rates of 5.5 and 13 MGD through pipe outfalls SD004 and SD009 (formerly 040 and 090) to Parkville Creek and unnamed wetlands.

The central portion of the facility includes the Mountain Iron Pit, which is surrounded by numerous mining waste stockpiles. Mine dewatering from the east portion of the West Minntac Pit is routed to the Mountain Iron Pit or to a south-flowing ditch west of the Mountain Iron Pit. The Mountain Iron Pit also receives some pit dewatering flow from the west end of the East Minntac Pit. The Mountain Iron Pit can overflow (or be pumped) to the south-flowing ditch, and/or be pumped to the Minntac Water Reservoir as make-up water. Dewatering from the east portion of the West Pit may be routed directly to the same south-flowing ditch, so that it does not enter the Mountain Iron Pit. This ditch leaves the facility, at average and maximum rates of 5 and 33.2 MGD, through concrete culvert outfall SD001 (formerly 010), on the north side of Highway 135 in the city of Mountain Iron. This unnamed ditch becomes the East Branch of the West Two River, and flows into unnamed wetlands downstream.

Sewage generated in the West Pit Dry Area (which includes the Drill & Blast Building, Change House), the East Pit Dry Area, and the Mobile Equipment Shop (MES) Buildings Area is treated by three separate activated sludge/drainfield disposal systems. Each of these disposal systems includes: a 7,500-gal flow equalization tank; an extended aeration plant, with an aeration tank volume of 18,000 to 20,000 gal, and a clarifier volume of 3,400 gal; and a drainfield of 16,000 to 16,600 ft2. The clarifier outflow to the drainfields is routed through pipe monitoring stations WS002 (MES), WS003 (West Pit Dry Area) and WS004 (East Pit Dry Area).

These sewage disposal systems have maximum flow rates of 0.020, 0.017 and 0.017 MGD, respectively. The MES Buildings Area includes upgradient monitoring well station GW001 (Well A) and monitoring well stations

GW002 (Well B) and GW003 (Well C) at the drainfield; these wells are installed to depths of 10.5 to 29.5 feet. The sewage sludge is removed and transferred to the city of Mountain Iron sanitary sewage system, where it is managed and disposed of in accordance with NPDES/SDS permit MN0040835, as reported through station WS301 in SDS permit MN0050504. The Mine Control Building and the Security Gate Building use septic tank-drainfield systems for sewage disposal. Sewage generated at the remainder of the facility is contained in portable units and then transported from the facility for disposal, routed to the Minntac sewage treatment plant according to SDS permit MN0050504, or routed to the city of Mountain Iron, in accordance with NPDES/SDS permit MN0040835.

The facility includes numerous wastewater flows from the area of the Crushers and the Central Shops, located just south of the Laurentian Divide. This area includes: the Primary Crushers, Drive House/Turn Bin, Fine Crusher, and associated thickeners; the Auto Repair Shop, Fire Hall, Carpentry Shop, and nearby dry storage buildings; the Central Shops Building; the Cranes Barn (for dry storage and repair of equipment); and the Steelyard and surrounding buildings. Sewage from the Central Shops area, and from part of the Crushers area, is routed to the sewage treatment works covered by SDS permit MN0050504; some of the sewage generated at the Crushers is routed to the MES sewage treatment works to the south. Yard and roof runoff, as well as other indoor wastewaters generated in the Central Shops area, are mainly routed south toward Randy's Pond, on the south side of the railroad tracks (NW 1/4, SW 1/4, Section 34, T 59 N, R 18 W), southeast of the Mine Office Building. Station WS005 (formerly 960) is a flow-weighted composite of the drainageways entering the north end of Randy's Pond; subsurface drainage from Randy's Pond is believed to move toward the East Pit and/or the Mountain Iron Pit. Process wastewater and sump drain wastewater from the Crushers is pumped to the Concentrator.

The Central Shops Building includes offices, and the Tire Repair, Electrical, Motor, Machine, Air, Welding, Fabrication, Heavy Equipment, and Shovel Repair Shops. Buildings around the Central Shops Building include the Paint Shop, Lube Storage Building, Carpentry Shop, Automotive Shop (where small vehicles are lubricated, washed and repaired), the Steam Cleaning Building for larger vehicle cleaning and maintenance, and various dry storage areas. The floor drain and wash water from the Central Shops, as well as from the buildings around the Steelyard, is either collected and disposed of through service vendors who specialize in industrial waste disposal, according to MPCA rules, or treated with sedimentation tanks and oil/water separators, and then routed south toward station WS005 through two drainage pipes. These two pipes release wastewater at points along the slope immediately south of the Central Shops Building.

South of the Central Shops area is the former Pilotac Plant Area, now vacant of buildings, with some coarse tailings stockpiles. Further south is the Mine Office Building, Bull Gang Storage Building (dry storage only) and MES. North of the MES, a fuel oil tank release site (MPCA Leak #00011153) is monitored. Sewage generated at each of these three buildings is routed to the MES sewage treatment works. The west portion of the MES is used for most of the lubrication, washing and steam cleaning of the mobile equipment used at the facility. This cleaning wastewater is either collected and disposed of through service vendors who specialize in industrial waste disposal, according to MPCA rules, or is treated with sedimentation tanks and oil/water separators, and either applied for dust suppression as monitored by station WS008, or routed south to an east-flowing ditch toward station WS005 along with other floor drain wastewater, non-contact cooling water, and outdoor runoff from the MES and vicinity.

The following detergents and cleaning agents are used in the Central Shops, Steelyard and MES areas at the facility, and routed with wastewater toward station WS005:

Detergent or Cleaning Agent	Maximum Rate of Addition
Sentinel 606 Aqua Degreaser, Agresol and Snoopy One	12,000 gallons/year combined
HD 5395 and Ver-Tech Clean-Flex	4000 gallons/year combined

Other buildings in the facility include the East and West Pit Dry Areas, Rock Dump Garage Area, North Service Panel Yard, West Pit Crane Barn and Norlander Building. Various garages, sheds and yards are used at these building areas for dry storage there. No vehicle or equipment washing, steam-cleaning or lubrication maintenance is conducted at either the East or West Pit Dry Areas.

Power substations are located on the north side of the facility, and portable substations are located throughout much of the active mining area. The chemical cleaners Citrikleen CA or Jungle Jake ST-31 are used for in-pit shovel and drill cleaning at a maximum rate of 110 and 16, gallons/year, respectively. The former Kinney Landfill, located in the southeast corner of Section 3, T58N, R19W, has been closed and is maintained in a condition undisturbed by mining activities.

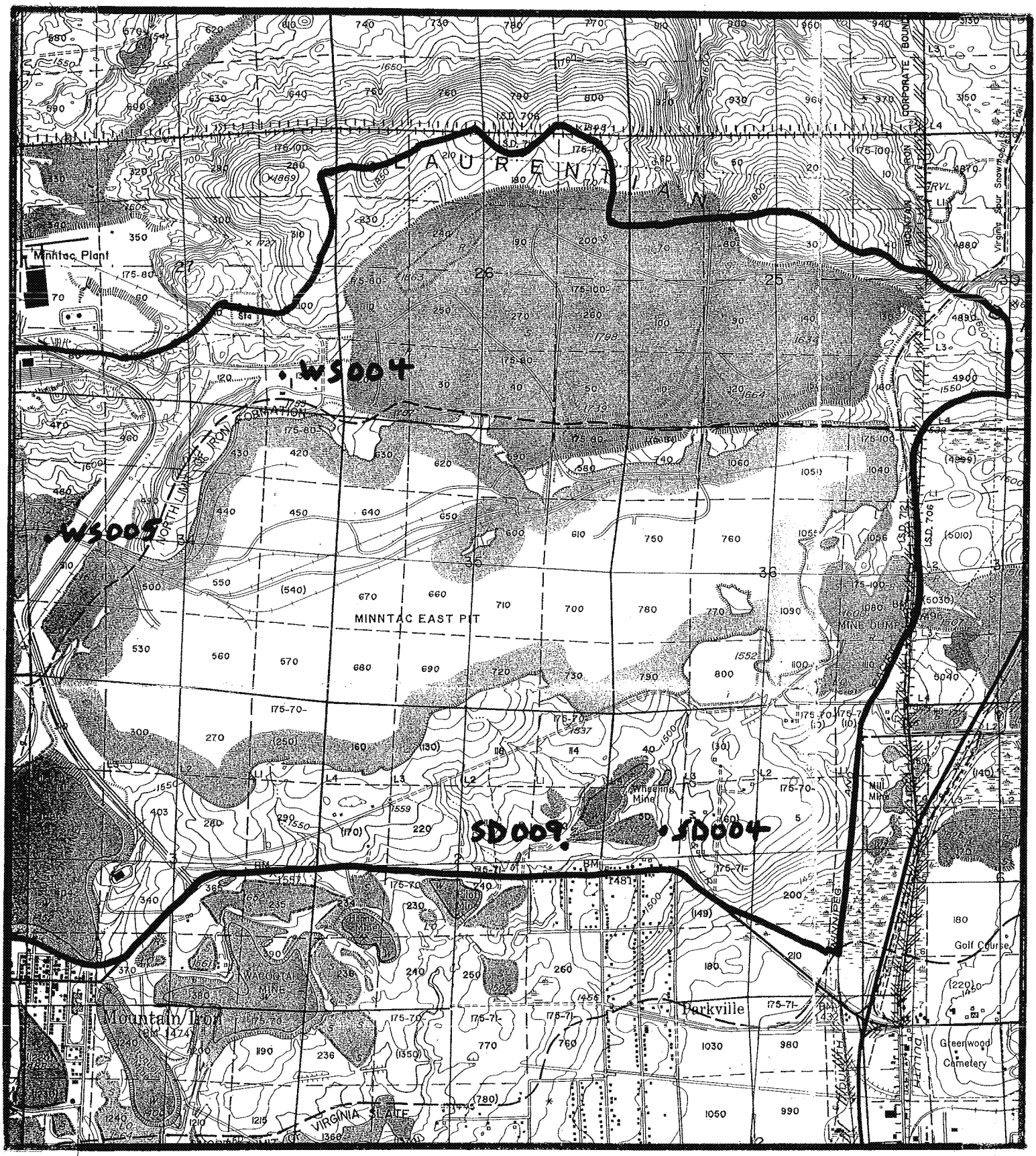
Coarse tailings are used for road maintenance throughout the facility. The mining waste disposal areas in the facility include overburden and waste rock stockpiles in the East and West Minntac Pit Areas, and coarse tailings in the former Pilotac Plant Area. Surface drainage from mining waste disposal areas, and from materials and equipment storage areas, in the facility flows to various mine pits within the facility and the following waters (all class 2B, 3B, 4A, 4B, 5 and 6 waters, except for the wetlands and Forsyth Pit Lake): Forsyth Pit Lake (class 1B, 2A, 3B, 3C, 4A, 4B, 5 and 6 waters), unnamed wetlands (class 2D, 3D, 4C, 5 and 6 waters) and ditches tributary to the East Two River; Parkville Creek; the East Branch of the West Two River, two unnamed creeks tributary to the West Two River Reservoir; an unnamed creek tributary to the West Two River Reservoir; an unnamed creek tributary to the West Two River; the West Two River; the above-mentioned unnamed creek tributary to Kinross Creek; Kinross Creek; Kinney Creek; Kinney Lake; and an unnamed creek tributary to Kinney Lake. The various receiving waters also are Outstanding International Resource Waters.

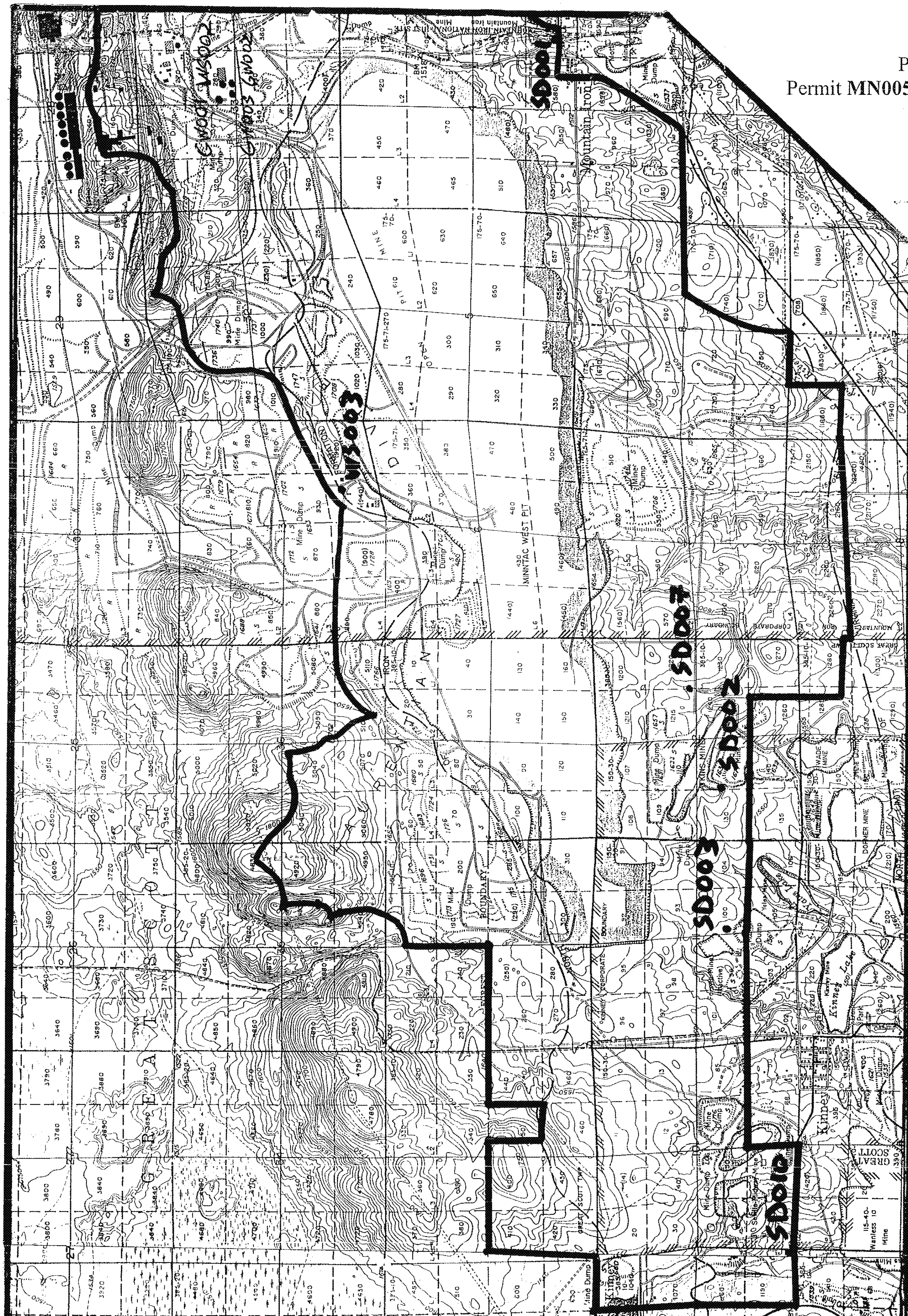
Propylene glycol and diethylene glycol are occasionally applied to stockpiles and to the conveyer belts at the crushing facilities as freeze conditioning agents, at a maximum rate of 182,000 gal/year. Three different types of wood sugar extracts--hemicellulose extracts from hardboard manufacturing and ammonium- and sodium-based lignosulfonates--are applied as fugitive dust suppressants at the facility at a combined maximum rate of 250,000 gal/year, and monitored by station WS007. MES vehicle wash wastewater (monitored by station WS008) and a solution of magnesium chloride and/or calcium chloride (monitored by station WS009) also are applied as fugitive dust suppressants, at a combined maximum rate of 350,000 gal/year.

Fuel storage and refueling sites are located throughout the plant area. The East and West Pits are served by semi-portable fueling stations consisting of tanks and dispensing systems (with secondary containment) that are relocated as mining progresses. A new covered mobile equipment fueling station has been installed along the INTER-MINE road south of the MES. Oils will be periodically removed from the oil/water separators at the facility and reclaimed for reuse. No coal or petroleum coke is stored at the facility. Sludges consisting of ore slurries not containing petroleum have iron units and are recycled at advantageous process points. The sludges from the various machinery cleaning activities at the facility, including those at the Central Shops and the MES, are disposed of according to MPCA solid and hazardous waste rules.

The location of the facility and the designated monitoring stations is shown on the maps on pages 6 and 7. The facility is located in the Lake Superior Basin.

Topographic Maps of Permitted Facility




SD001
WS002
GW001
GW002
GW003
WS003
SD007
SD002
SD003
SD010
MINNTAC WEST PIT
Mountain Iron

One-Time Submittals

Due Date / Requirement

Dependent on permit expiration. The Permittee shall Submit an application for permit reissuance by 180 days before permit expiration.

Periodic Submittals

Frequency / Requirement

Monthly. Submit a monthly DMR monthly by 21 days after end of each calendar month following permit issuance. (GW 001, GW 002, GW 003)

Monthly. Submit a monthly DMR monthly by 21 days after end of each calendar month following permit issuance. (SD 001, SD 002, SD 003, SD 004, SD 007, SD 009, SD 010)

Monthly. Submit a monthly DMR monthly by 21 days after end of each calendar month following permit issuance. (WS 002, WS 003, WS 004, WS 005)

Annually. The Permittee shall Submit an annual DMR annually by January 22 of each year following permit issuance. (WS 007, WS 008, WS 009)

Summary of Stations

Ground Water Stations

Station	Type of Station	Local Name
GW001	Well, Other	Drainfield Monitoring Well A
GW002	Well, Other	Drainfield Monitoring Well B
GW003	Well, Other	Drainfield Monitoring Well C

Surface Discharge Stations

Station	Type of Station	Local Name
SD001	Effluent To Surface Water	Culvert Outfall 010, Sump #3
SD002	Effluent To Surface Water	Ditch Outfall 020, Atkins, Sump #6
SD003	Effluent To Surface Water	Pipe Outfall 030, Sump #6
SD004	Effluent To Surface Water	Pipe Outfall 040, Prindle
SD007	Effluent To Surface Water	Pipe Outfall 070, Sump #11 NF
SD009	Effluent To Surface Water	Pipe Outfall 090, Wheeling NF
SD010	Effluent To Surface Water	Pipe Outfall 092, Rana NF
SD017	Storm Water, Non-specific Runoff	

Waste Stream Stations

Station	Type of Station	Local Name
WS002	Intermediate: WW to Land	Wastewater to MES drainfield, stn 910
WS003	Intermediate: WW to Land	Wastewater to W drainfield, station 920
WS004	Intermediate: WW to Land	Wastewater to E drainfield, station 930
WS005	Internal Waste Stream	Drainageway Station 960
WS007	Intermediate: WW to Land	Wood sugar extracts as land-applied
WS008	Intermediate: WW to Land	MES wash wastewater as land-applied
WS009	Intermediate: WW to Land	Calcium and magnesium Cl as land-applied

Limits and Monitoring Requirements

The Permittee shall comply with the limits and monitoring requirements as specified below.

GW 001, GW 002

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Chloride, Total	250	mg/L	Instantaneous Maximum Intervention	Apr, Jul, Oct	Grab	1 x Month	
Elevation of GW Relative to Mean Sea Level	Monitor Only	feet	Single Value	Apr, Jul, Oct	Measurement, Instantaneous	1 x Month	6
Nitrogen, Ammonia, Total (as N)	Monitor Only	mg/L	Single Value	Apr, Jul, Oct	Grab	1 x Month	
Nitrogen, Nitrate, Total (as N)	10	mg/L	Instantaneous Maximum	Apr, Jul, Oct	Grab	1 x Month	
Nitrogen, Nitrate, Total (as N)	2.5	mg/L	Instantaneous Maximum Intervention	Apr, Jul, Oct	Grab	1 x Month	
pH, Field	Monitor Only	SU	Single Value	Apr, Jul, Oct	Grab	1 x Month	3
Specific Conductance, Field	Monitor Only	umh/cm	Single Value	Apr, Jul, Oct	Grab	1 x Month	3
Temperature, Water	Monitor Only	Deg C	Single Value	Apr, Jul, Oct	Grab	1 x Month	3

GW 003

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Chloride, Total	Monitor Only	mg/L	Single Value	Apr, Jul, Oct	Grab	1 x Month	
Elevation of GW Relative to Mean Sea Level	Monitor Only	feet	Single Value	Apr, Jul, Oct	Measurement, Instantaneous	1 x Month	6
Nitrogen, Ammonia, Total (as N)	Monitor Only	mg/L	Single Value	Apr, Jul, Oct	Grab	1 x Month	
Nitrogen, Nitrate, Total (as N)	Monitor Only	mg/L	Single Value	Apr, Jul, Oct	Grab	1 x Month	
pH, Field	Monitor Only	SU	Single Value	Apr, Jul, Oct	Grab	1 x Month	3
Specific Conductance, Field	Monitor Only	umh/cm	Single Value	Apr, Jul, Oct	Grab	1 x Month	3
Temperature, Water	Monitor Only	Deg C	Single Value	Apr, Jul, Oct	Grab	1 x Month	3

SD 001, SD 002, SD 003, SD 004, SD 007, SD 009, SD 010

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Bicarbonates	Monitor Only	mg/L	Single Value	Mar, Jun, Sep, Dec	Grab	1 x Month	
Calcium, Total (as Ca)	Monitor Only	mg/L	Single Value	Mar, Jun, Sep, Dec	Grab	1 x Month	
Cobalt, Total (as Co)	Monitor Only	ug/L	Single Value	Mar, Jun, Sep, Dec	Grab	1 x Month	
Flow	Monitor Only	mgd	Calendar Month Average	Jan-Dec	Measurement, Instantaneous	2 x Month	
Flow	Monitor Only	mgd	Calendar Month Maximum	Jan-Dec	Measurement, Instantaneous	2 x Month	
Flow	Monitor Only	MG	Calendar Month Total	Jan-Dec	Measurement, Instantaneous	2 x Month	
Hardness, Calcium & Magnesium, Calculated (as CaCO3)	Monitor Only	mg/L	Single Value	Mar, Jun, Sep, Dec	Calculation	1 x Month	
Iron, Dissolved (as Fe)	1.0	mg/L	Calendar Month Average	Feb, Apr, Jun, Aug, Oct, Dec	Grab	1 x Month	

The Permittee shall comply with the limits and monitoring requirements as specified below.

SD 001, SD 002, SD 003, SD 004, SD 007, SD 009, SD 010

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Iron, Dissolved (as Fe)	2.0	mg/L	Calendar Month Maximum	Feb, Apr, Jun, Aug, Oct, Dec	Grab	1 x Month	
Lead, Total (as Pb)	Monitor Only	ug/L	Single Value	Mar, Jun, Sep, Dec	Grab	1 x Month	
Magnesium, Total (as Mg)	Monitor Only	mg/L	Single Value	Mar, Jun, Sep, Dec	Grab	1 x Month	
Manganese, Total (as Mn)	Monitor Only	ug/L	Single Value	Mar, Jun, Sep, Dec	Grab	1 x Month	
Mercury, Total (as Hg)	Monitor Only	ng/L	Single Value	Mar, Jun, Sep, Dec	Grab	1 x Month	
Nitrogen, Ammonia, Total (as N)	Monitor Only	mg/L	Single Value	Mar, Jun, Sep, Dec	Grab	1 x Month	
Nitrogen, Ammonia, Un-ionized (as N)	Monitor Only	mg/L	Single Value	Mar, Jun, Sep, Dec	Calculation	1 x Month	
pH, Field	8.5	SU	Instantaneous Maximum	Jan-Dec	Grab	1 x Month	
pH, Field	6.5	SU	Instantaneous Minimum	Jan-Dec	Grab	1 x Month	
Solids, Total Suspended (TSS)	20	mg/L	Calendar Month Average	Jan-Dec	Grab	2 x Month	
Solids, Total Suspended (TSS)	30	mg/L	Calendar Month Maximum	Jan-Dec	Grab	2 x Month	
Specific Conductance, Field	Monitor Only	umh/cm	Single Value	Mar, Jun, Sep, Dec	Grab	1 x Month	
Sulfate, Total (as SO4)	Monitor Only	mg/L	Single Value	Mar, Jun, Sep, Dec	Grab	1 x Month	
Temperature, Water	Monitor Only	Deg C	Single Value	Mar, Jun, Sep, Dec	Measurement, Instantaneous	1 x Month	

WS 002

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Flow	Monitor Only	MG	Calendar Month Total	Jan-Dec	Measurement, Continuous	1 x Day	
Flow	0.020	mgd	Instantaneous Maximum	Jan-Dec	Measurement, Continuous	1 x Day	1

WS 003, WS 004

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Flow	Monitor Only	MG	Calendar Month Total	Jan-Dec	Measurement, Continuous	1 x Day	
Flow	0.017	mgd	Instantaneous Maximum	Jan-Dec	Measurement, Continuous	1 x Day	1

WS 005

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
BOD, Carbonaceous 05 Day (20 Deg C)	Monitor Only	mg/L	Single Value	Apr, Jul, Nov	Grab	1 x Month	
Chloride, Total	Monitor Only	mg/L	Single Value	Apr, Jul, Nov	Grab	1 x Month	

The Permittee shall comply with the limits and monitoring requirements as specified below.

WS 005

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Chromium, Total (as Cr)	Monitor Only	ug/L	Single Value	Apr, Jul, Nov	Grab	1 x Month	
COD (Chemical Oxygen Demand)	Monitor Only	mg/L	Single Value	Apr, Jul, Nov	Grab	1 x Month	
Ethylene Glycol	Monitor Only	ug/L	Single Value	Apr, Jul, Nov	Grab	1 x Month	
Flow	Monitor Only	MG	Calendar Month Total	Apr, Jul, Nov	Measurement, Instantaneous	1 x Month	
Flow	Monitor Only	mgd	Single Value	Apr, Jul, Nov	Measurement, Instantaneous	1 x Month	
Nitrite Plus Nitrate, Total (as N)	Monitor Only	mg/L	Single Value	Apr, Jul, Nov	Grab	1 x Month	
Organics, Diesel Range as diesel, Total	Monitor Only	ug/L	Single Value	Apr, Jul, Nov	Grab	1 x Month	
Organics, Gasoline Range as gasoline, Total	Monitor Only	ug/L	Single Value	Apr, Jul, Nov	Grab	1 x Month	
pH, Field	Monitor Only	SU	Single Value	Apr, Jul, Nov	Grab	1 x Month	
Phosphorus, Total (as P)	Monitor Only	mg/L	Single Value	Apr, Jul, Nov	Grab	1 x Month	
Sodium, Total (as Na)	Monitor Only	mg/L	Single Value	Apr, Jul, Nov	Grab	1 x Month	
Solids, Total Suspended (TSS)	Monitor Only	mg/L	Single Value	Apr, Jul, Nov	Grab	1 x Month	
Specific Conductance, Field	Monitor Only	umh/cm	Single Value	Apr, Jul, Nov	Grab	1 x Month	
Sulfate, Total (as SO4)	Monitor Only	mg/L	Single Value	Apr, Jul, Nov	Grab	1 x Month	

WS 007

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
2,3,7,8,-Tetrachlorodibenzofuran	Monitor Only	ug/L	Single Value	Jan-Dec	Grab	1 x Year	
2,3,7,8-Tetrachlorodibenzo-p-diox (TCDD)	Monitor Only	ug/L	Single Value	Jan-Dec	Grab	1 x Year	
Bicarbonates	Monitor Only	mg/L	Single Value	Jan-Dec	Grab	1 x Year	
BOD, Carbonaceous 05 Day (20 Deg C)	Monitor Only	mg/L	Single Value	Jan-Dec	Grab	1 x Year	
Calcium, Total (as Ca)	Monitor Only	mg/L	Single Value	Jan-Dec	Grab	1 x Year	
Chloride, Total	Monitor Only	mg/L	Single Value	Jan-Dec	Grab	1 x Year	
COD (Chemical Oxygen Demand)	Monitor Only	mg/L	Single Value	Jan-Dec	Grab	1 x Year	
Flow	0.25	MG	Calendar Year Maximum	Jan-Dec	Measurement, Continuous	1 x Year	4
Magnesium, Total (as Mg)	Monitor Only	mg/L	Single Value	Jan-Dec	Grab	1 x Year	
Mercury, Total (as Hg)	Monitor Only	ug/L	Single Value	Jan-Dec	Grab	1 x Year	
Nitrogen, Ammonia, Total (as N)	Monitor Only	mg/L	Single Value	Jan-Dec	Grab	1 x Year	
pH, Field	Monitor Only	SU	Single Value	Jan-Dec	Grab	1 x Year	

The Permittee shall comply with the limits and monitoring requirements as specified below.

WS 007

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Phenols, Total	Monitor Only	ug/L	Single Value	Jan-Dec	Grab	1 x Year	
Phosphorus, Total (as P)	Monitor Only	mg/L	Single Value	Jan-Dec	Grab	1 x Year	
Sodium, Total (as Na)	Monitor Only	mg/L	Single Value	Jan-Dec	Grab	1 x Year	
Solids, Total Dissolved (TDS)	Monitor Only	mg/L	Single Value	Jan-Dec	Grab	1 x Year	
Specific Conductance, Field	Monitor Only	umh/cm	Single Value	Jan-Dec	Grab	1 x Year	
Sulfate, Total (as SO4)	Monitor Only	mg/L	Single Value	Jan-Dec	Grab	1 x Year	
Zinc, Total (as Zn)	Monitor Only	mg/L	Single Value	Jan-Dec	Grab	1 x Year	

WS 008

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Acenaphthene	Monitor Only	ug/L	Single Value	Jan-Dec	Grab	1 x Year	
Acenaphthylene	Monitor Only	ug/L	Single Value	Jan-Dec	Grab	1 x Year	
Anthracene	Monitor Only	ug/L	Single Value	Jan-Dec	Grab	1 x Year	
Benzo(a)anthracene	Monitor Only	ug/L	Single Value	Jan-Dec	Grab	1 x Year	
Benzo(a)pyrene	Monitor Only	ug/L	Single Value	Jan-Dec	Grab	1 x Year	
Benzo(b)fluoranthene	Monitor Only	ug/L	Single Value	Jan-Dec	Grab	1 x Year	
Benzo(e)pyrene	Monitor Only	ug/L	Single Value	Jan-Dec	Grab	1 x Year	
Benzo(ghi)perylene	Monitor Only	ug/L	Single Value	Jan-Dec	Grab	1 x Year	
Benzo(j)fluoranthene, Total	Monitor Only	ug/L	Single Value	Jan-Dec	Grab	1 x Year	
Benzo(k)fluoranthene	Monitor Only	ug/L	Single Value	Jan-Dec	Grab	1 x Year	
BOD, Carbonaceous 05 Day (20 Deg C)	Monitor Only	mg/L	Single Value	Jan-Dec	Grab	1 x Year	
Chloride, Total	Monitor Only	mg/L	Single Value	Jan-Dec	Grab	1 x Year	
Chrysene	Monitor Only	ug/L	Single Value	Jan-Dec	Grab	1 x Year	
COD (Chemical Oxygen Demand)	Monitor Only	mg/L	Single Value	Jan-Dec	Grab	1 x Year	
Dibenzo(a,h)anthracene	Monitor Only	ug/L	Single Value	Jan-Dec	Grab	1 x Year	
Flow	0.35	MG	Calendar Year Maximum	Jan-Dec	Measurement, Continuous	1 x Year	5
Fluoranthene	Monitor Only	ug/L	Single Value	Jan-Dec	Grab	1 x Year	
Fluorene	Monitor Only	ug/L	Single Value	Jan-Dec	Grab	1 x Year	
Indeno(1,2,3-cd)pyrene	Monitor Only	ug/L	Single Value	Jan-Dec	Grab	1 x Year	

The Permittee shall comply with the limits and monitoring requirements as specified below.

WS 008

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Mercury, Total (as Hg)	Monitor Only	ug/L	Single Value	Jan-Dec	Grab	1 x Year	7
Methylene Blue Active Substances (Surfactants)	Monitor Only	mg/L	Single Value	Jan-Dec	Grab	1 x Year	
Naphthalene	Monitor Only	ug/L	Single Value	Jan-Dec	Grab	1 x Year	
Organics, Diesel Range as diesel, Total	Monitor Only	mg/L	Single Value	Jan-Dec	Grab	1 x Year	
Organics, Gasoline Range as gasoline, Total	Monitor Only	mg/L	Single Value	Jan-Dec	Grab	1 x Year	
Phenanthrene	Monitor Only	ug/L	Single Value	Jan-Dec	Grab	1 x Year	
Phosphorus, Total (as P)	Monitor Only	mg/L	Single Value	Jan-Dec	Grab	1 x Year	
Polynuclear Aromatic Hydrocarbons, Carcinogen, Total	Monitor Only	ug/L	Single Value	Jan-Dec	Calculation	1 x Year	
Pyrene	Monitor Only	ug/L	Single Value	Jan-Dec	Grab	1 x Year	
Solids, Total Dissolved (TDS)	Monitor Only	mg/L	Single Value	Jan-Dec	Grab	1 x Year	
Specific Conductance, Field	Monitor Only	umh/cm	Single Value	Jan-Dec	Grab	1 x Year	
Sulfate, Total (as SO4)	Monitor Only	mg/L	Single Value	Jan-Dec	Grab	1 x Year	

WS 009

Parameter	Limit	Units	Limit Type	Effective Period	Sample Type	Frequency	Notes
Calcium, Total (as Ca)	Monitor Only	kg/yr	Calendar Year Total	Jan-Dec	Calculation	1 x Year	2
Chloride, Total	Monitor Only	kg/yr	Calendar Year Total	Jan-Dec	Calculation	1 x Year	2
Flow	0.35	MG	Calendar Year Maximum	Jan-Dec	Measurement, Continuous	1 x Year	5
Magnesium, Total (as Mg)	Monitor Only	kg/yr	Calendar Year Total	Jan-Dec	Calculation	1 x Year	2

Notes:
1 -- A higher disposal rate will be allowed on a permanent basis only after operational data are provided to demonstrate that the system can effectively accept the additional wastewater.
2 -- As estimated mass applied on an annual basis, calculated based upon measured volumes and concentrations.
3 -- As final measurement from well stabilization tests.
4 -- Chemical dust suppressant as applied.
5 -- Chemical dust suppressant as applied. Limited and reported as sum of MES vehicle wash wastewater plus solution of magnesium chloride and/or calcium chloride application.
6 -- Measure to the nearest 0.01 ft before pumping or bailing the well.
7 -- Mercury analysis for this station is not required to use low-level detection methods.

Chapter 1. Ground Water Station Requirements - General

1. Monitoring Wells

1.1 The Permittee shall install, maintain and abandon ground water monitoring wells according to the Minnesota Water Well Construction Code, Minn. R. ch. 4725. Damaged or improperly constructed monitoring wells shall be repaired or properly abandoned and replaced. Information on licensed water well contractors is available from the Minnesota Department of Health.

1.2 Each monitoring well shall be clearly numbered on the outside of the well with either indelible paint or an inscribed number.

1.3 The monitoring wells shall be sampled in accordance with "Minnesota Pollution Control Agency, Water Quality Division: Sampling Protocol for Ground Water Monitoring Wells, July 1997," Triplett, et. al. Copies of this publication are available on the internet at http://www.pca.state.mn.us/water/groundwater/wqsampling.html or may be obtained from the MPCA by calling (651)296-7162.

Chapter 2. Surface Discharge Station Requirements - General

1. Sampling Location

1.1 Samples for an individual outfall shall be taken at that respective outfall. Pump curves may be used to estimate flow at these outfalls. If water overflows the Mountain Iron Pit, stream gauging shall be used instead of the pump curves to measure flow at outfall SD001.

2. Surface Discharges

2.1 Floating solids or visible foam shall not be discharged in other than trace amounts.

2.2 Oil or other substances shall not be discharged in amounts that create a visible color film.

2.3 The Permittee shall install and maintain outlet protection measures at the discharge stations to prevent erosion.

3. Discharge Monitoring Reports

3.1 The Permittee shall submit monitoring results for discharges in accordance with the limits and monitoring requirements. If no discharge occurred during the reporting period, the Permittee shall check the "No Discharge" box on the Discharge Monitoring Report (DMR).

Chapter 2. Surface Discharge Station Requirements - General

4. Winter Sampling Conditions

4.1 The Permittee shall sample flows at the designated monitoring stations including when this requires removing ice to sample the water. If the station is completely frozen throughout a designated sampling month, the Permittee shall check the "No Discharge" box on the Discharge Monitoring Report (DMR) and note the ice conditions in Comments on the DMR. If a designated monitoring station is unsafe to monitor due to ice conditions, the Permittee shall document in detail these conditions, and the Permittee shall return to collect the required sample as soon thereafter as the conditions are no longer unsafe. Unsafe conditions may justify postponing, but not canceling, monitoring required by this permit.

Chapter 3. Waste Stream Station Requirements - General

1. Sampling Location

1.1 Grab samples for Stations WS002, WS003 and WS004 shall be taken at the respective pipe stations, at points representative of total flow to the system following activated sludge treatment and before flow distribution through the drainfields.

1.2 Samples for Station WS005 shall be taken as a flow-weighted composite of the discrete drainageways entering the north end of Randy's Pond.

1.3 Sample analysis for stations WS007 and WS008 shall be conducted on the aqueous or other solvent mixture that is representative of the solution applied. These analyses shall be conducted during the same calendar year of application.

2. Special Requirements

2.1 Oil or other substances shall not be present at station WS005 in amounts that create a visible color film.

Floating solids or visible foam shall not be present at station WS005 in other than trace amounts.

Chapter 4. Station Requirements - Specific

1. Ground Water Stations

1.1 GW 001, GW 002, GW 003: Submit a monthly DMR monthly by 21 days after end of each calendar month following permit issuance.

2. Surface Discharge Stations

2.1 SD 001, SD 002, SD 003, SD 004, SD 007, SD 009, SD 010: Submit a monthly DMR monthly by 21 days after end of each calendar month following permit issuance.

Chapter 4. Station Requirements - Specific

3. Waste Stream Stations

3.1 WS 002, WS 003, WS 004, WS 005: Submit a monthly DMR monthly by 21 days after end of each calendar month following permit issuance.

3.2 WS 007, WS 008, WS 009: The Permittee shall Submit an annual DMR annually by January 22 of each year following permit issuance.

Chapter 5. Industrial Process Wastewater, NPDES/SDS

1. Prohibited Discharges

1.1 This permit does not authorize the disposal, including discharge, of scrubber water, spills, oil or hazardous substances to ditches, wetlands or other surface waters of the state.

2. Toxic Substance Reporting

2.1 The Permittee shall notify the MPCA immediately of any knowledge or reason to believe that an activity has occurred that would result in the discharge of a toxic pollutant listed in Minn. R. 7001.1060, subp. 4 to 10 or listed below that is not limited in the permit, if the discharge of this toxic pollutant has exceeded or is expected to exceed the following levels:

a. for acrolein and acrylonitrile, 200 ug/L;

b. for 2,4-dinitrophenol and 2-methyl-4,6-dinitrophenol, 500 ug/L;

c. for antimony, 1 mg/L;

d. for any other toxic pollutant listed in Minn. R. 7001.1060, subp. 4 to 10, 100 ug/L; or

e. five times the maximum concentration value identified and reported for that pollutant in the permit application.

2.2 The Permittee shall notify the MPCA immediately if the Permittee has begun or expects to begin to use or manufacture as an intermediate or final by-product a toxic pollutant that was not reported in the permit application under Minn. R. 7001.1050, subp. 2.J.

3. Polychlorinated Biphenyls (PCBs)

3.1 PCBs, including but not limited to those used in electrical transformers and capacitors, shall not be discharged or released to the environment.

Chapter 5. Industrial Process Wastewater, NPDES/SDS

4. Mobile and Rail Equipment Service Areas

4.1 The MES, Central Shops, Steam Room and other mobile equipment service areas in the facility shall be operated in compliance with the following:

a. The Permittee shall collect and dispose of degreasing wastes, motor oil, oil filters, oil sorbent pads and booms, transmission fluids, power steering fluids, brake fluids, coolant/antifreeze, radiator flush wastewater and spent solvents according to applicable solid and hazardous waste management rules and statutes. These materials, including the non-aqueous portion from flammable traps and oil/water separators, shall not be discharged to surface or ground waters of the state.

b. The steam-cleaning of mobile equipment, except for limited in-pit cleaning of large drills and shovels, shall be conducted in wash bays that drain to wastewater treatment systems that include the removal of suspended solids and flammable liquids. The only washing of mobile equipment done in outside areas shall be to remove mud and dirt that has accumulated during outside work.

c. The Permittee shall not use solvent-based cleaners, such as brake cleaners and degreasers, to wash mobile equipment unless the cleaning fluids are completely contained and not allowed to flow to surface or ground waters of the state. Soaps and detergents used in washing shall be biodegradable.

d. Mobile equipment maintenance and repairs shall not be conducted, and hazardous materials shall not be stored or handled, in wash bays.

e. The Permittee shall inspect wastewater containment systems regularly, and promptly repair the leaks that are detected.

f. Leaks and spills of petroleum products that enter wastewater containment systems shall be mitigated immediately.

g. Spill cleanup procedures shall be posted or made available electronically in mobile equipment maintenance and repair areas.

5. New Proposed Dewatering

5.1 The Permittee shall apply in writing for and shall obtain a major modification or reissuance of this permit in order to begin discharge from a new pit dewatering outfall or fuel-spill contaminated ground water pumpout outfall. Such an application be submitted at least 180 days before the planned starting date of the new discharge.

5.2 In addition to the requirements in the Permit Modifications section of this permit, the Permittee shall submit to the MPCA detailed plans and specifications for the proposed methods of achieving discharge limits, based in part upon representative water quality data for untreated wastewater and a detailed map and diagram description of the proposed design for the flow control structures, and route of the discharge to receiving waters.

Chapter 6. Industrial Storm Water, NPDES/SDS

1. Authorization

1.1 The Permittee shall notify the MPCA in writing at least 180 days before the expansion of the area covered by excavations or mining waste beyond the boundary of the area designated on the maps on pages 6 and 7, unless this expansion is authorized by NPDES/SDS permit MN0057207.

2. Water Quality Standards

2.1 The Permittee shall operate and maintain the facility and shall control runoff, including storm water, from the facility to prevent the water quality standards specified in Minn. R. chs. 7050, 7052 and 7060 from being exceeded in the waters of the state, including but not limited to those waters listed on page 1 of this permit.

2.2 The Permittee shall limit and control the use of materials at the facility that may cause ground water quality standards to be exceeded. These materials include, but are not limited to, detergents and cleaning agents, solvents, chemical dust suppressants, lubricants, fuels, drilling fluids, oils, fertilizers, explosives and blasting agents.

3. Storm Water Pollution Prevention Plan

3.1 The MPCA is proposing to remove the Forsyth Pit Lake from those waters of the state specifically listed in Minn. R. ch. 7050. During the period prior to when the MPCA removes the Forsyth Pit Lake from those waters of the state specifically listed in Minn. R. ch. 7050, the MPCA may determine to require that Best Management Practices approved by the MPCA for the facility be implemented with regard to protection of the water quality of the Forsyth Pit Lake. These best management practices may include, but are not limited to, those related to erosion and storm water runoff control through vegetation, the placement of rock berms, and rock benches left intact.

3.2 The Permittee shall comply with the Pollution Prevention Plan for the facility dated February 2003, and with revisions to this Plan as approved by the MPCA.

3.3 The Pollution Prevention Plan shall include a description of appropriate Best Management Practices for protection of surface and ground water quality at the facility, and a schedule for implementing the practices. The Plan shall also include the procedures to be followed by designated staff employed by the Permittee to implement the plan.

4. Inspection and Maintenance

4.1 The Permittee shall inspect the facility on a regular basis to ensure that the Best Management Practices are being maintained.

5. Application of Chemical Dust Suppressants

5.1 The Permittee shall maintain records of the different chemical dust suppressant applications at the facility as needed to verify compliance with the requirements of this permit.

Chapter 6. Industrial Storm Water, NPDES/SDS

5. Application of Chemical Dust Suppressants

5.2 If a material applied is mixed with water or another solvent before application, chemical analysis required by this permit shall be done on the aqueous or other mixture that is representative of the solution applied. This analysis shall be conducted during the same calendar year of application.

5.3 Chemical dust suppressants shall not be applied within 100 feet of the surface receiving waters identified on page 1 of this permit. These materials also shall not be applied within 100 feet of ditches that conduct direct surface flow (excluding those ditches within the rims of the East and West Pits) to the surface receiving waters identified on page 1 of this permit.

5.4 Chemical dust suppressants shall not be applied within 200 feet of any private water supply well nor within 1,000 feet of any public water supply well.

5.5 Chemical dust suppressants shall be applied in a manner that does not result in ponding or surface runoff. Chemical dust suppressants shall not be applied to paved or other impervious areas.

5.6 The MPCA may require additional limits and conditions on the application of wood sugar extracts, including monitoring, based on the results of investigation performed on the potential environmental impact of pulp, paper and paperboard manufacturing products and wastes.

Chapter 7. Domestic Wastewater, non-POTW, SDS

1. Prohibitions

1.1 The sanitary wastewater generated at the facility shall be disposed of:

a. Through the sewage treatment works at the West Pit Change House Buildings Area, the East Pit Change House Buildings Area, and the MES Buildings Area, as described in the Permitted Facility Description;

b. Through the sewage treatment works authorized by SDS Permit MN0050504;

c. To portable units, and then transported away from the facility for disposal;

d. To a POTW, in accordance with the NPDES/SDS permit for that POTW; and/or

e. To permitted septic tank-drainfield systems that treat sanitary wastewater only, at a rate of less than 10,000 gallons/day each.

1.2 There shall be no surface discharge to surface water from the drainfield sites resulting from the disposal of wastewater. Appropriate measures shall be taken to prevent such surface discharge.

Chapter 7. Domestic Wastewater, non-POTW, SDS

1. Prohibitions

1.3 The Permittee shall prevent the introduction of the following to its domestic wastewater treatment system:

a. pollutants which create a fire or explosion hazard, including any discharge with a flash point less than 60 degrees C (140 degrees F);

b. pollutants which would cause corrosive structural damage, including any waste stream with a pH of less than 5.0;

c. solid or viscous pollutants which would obstruct flow;

d. heat that would inhibit biological activity, including any introduction of wastewater that would cause the temperature of the waste stream at the domestic wastewater treatment system to exceed 40 degrees C (104 degrees F);

e. pollutants which produce toxic gases, vapors, or fumes that may endanger the health or safety of workers;

f. new sources of non-contact cooling waters, unless there are no cost-effective alternatives; and

g. hazardous wastes.

Signs prohibiting the flushing or disposal of solvents and petroleum products shall be posted for employee information at the facility restroom and shower areas.

2. Drainfield - Maintenance

2.1 The drainfield(s) shall be adequately fenced to prevent the passage of snowmobiles and other vehicles.

2.2 A grass cover shall be maintained over the drainfield(s) at all times.

3. Drainfield - Expansion

3.1 If the flow rate to the drainfield(s) prove to be excessive, the Permittee shall submit an application for a permit modification for appropriate expansion of the system in accordance with the Permit Modifications section of this permit.

3.2 Indications of excessive flow rate include prolonged saturated soil conditions, vegetative drowning, excessive ground water mounding and exceeding daily permitted flow rates as indicated by flow meters.

Chapter 7. Domestic Wastewater, non-POTW, SDS

4. Drainfield - Prohibited Wastes

4.1 The Permittee shall take all reasonable steps to prohibit the discharge of any wastes other than domestic wastes into any septic tank and/or soil treatment system unless discharge of such other substances is specifically approved in writing by the MPCA.

4.2 Discharge to drainfields of animal wastes, industrial wastes, petroleum products, and toxic pollutants and other hazardous wastes or substances is prohibited.

5. Septage

5.1 Any accumulation of solids in pump stations, distribution devices, valve boxes or drop boxes shall be considered septage.

5.2 Septage shall be disposed of according to state, federal and local requirements.

6. Sanitary Sewer Extension Permit

6.1 The Permittee is required to obtain a Sanitary Sewer Extension Permit from the MPCA before the start of construction of any addition, extension or replacement to the sanitary sewer.

7. Operator Certification

7.1 The Permittee shall provide a Class C state certified operator who is in direct responsible charge of the operation, maintenance and testing functions required to ensure compliance with the terms and conditions of this permit.

7.2 The Permittee shall provide the appropriate number of operators with a Type IV certification to be responsible for the land application of the biosolids.

7.3 If the Permittee chooses to meet operator certification requirements through a contractual agreement, the Permittee shall provide a copy of the contract to the MPCA. The contract shall include the certified operator's name, certificate number, company name if appropriate, and evidence that the operation is being adequately supervised by a properly certified operator.

7.4 The Permittee shall notify the MPCA within 30 days of a change in operator certification or contract status.

Chapter 8. Domestic Biosolids, SDS

1. Authorization

1.1 The domestic biosolids generated at the facility shall be disposed of to a POTW, in accordance with the NPDES/SDS permit for that POTW.

Chapter 8. Domestic Biosolids, SDS

2. Notification

2.1 The Permittee shall provide information needed to comply with the biosolids requirements of Minn. R. ch. 7041 to others who prepare or use the biosolids.

3. Records

3.1 The Permittee shall keep records of the information necessary to show compliance with pollutant concentrations and loadings, pathogen reduction requirements, vector attraction reduction requirements and management practices as specified in Minn. R. 7041.1600, subp. 3.

4. Reporting Requirements

4.1 The Permittee shall submit a Biosolids Annual Report by December 31 following the end of the cropping year, under permit MN0050504. The report shall state that biosolids were not land applied, how many total dry tons of biosolids were generated by the facilities covered under both this permit and permit MN0050504 together, and to where they were transferred.

Submit the report to:

Biosolids Coordinator
Minnesota Pollution Control Agency
520 Lafayette Road
St. Paul, Minnesota 55155-4194

Chapter 9. Total Facility Requirements

1. Definitions

1.1 "Best Management Practices" means practices to prevent or reduce the pollution of the waters of the state, including schedules of activities, prohibitions of practices, and other management practices, and also includes treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

1.2 "Biosolids" - see "Sewage Sludge."

1.3 "Calendar Month Average" is calculated by adding all daily values measured during a calendar month and dividing by the number of daily values measured during that month. The "Calendar Month Average" limit is an upper limit.

1.4 "Calendar Month Maximum" is the highest value of single samples taken throughout the month. The "Calendar Month Maximum" is an upper limit.

Chapter 9. Total Facility Requirements

1. Definitions

1.5 "Calendar Month Total" is calculated by adding all daily values measured during a calendar month. It is usually expressed in mass or volume units. The "Calendar Month Total" is an upper limit.

1.6 "Calendar Year Average" is calculated by adding all sample values measured during a calendar year and dividing by the number of samples measured during that year. The "Calendar Year Average" limit is an upper limit.

1.7 "Calendar Year Maximum" is the highest value of single samples taken throughout the calendar year. The "Calendar Year Maximum" is an upper limit.

1.8 "Crop Year Total" is the calculated total quantity of a given measurement for a cropping year (September 1 - August 31). For example, total quantity of biosolids land applied during the cropping year. The "Crop Year Total" limit is an upper limit.

1.9 "Grab" sample type is an individual sample collected from one location at one point in time.

1.10 "Instantaneous Maximum" is the highest value recorded when continuous monitoring is used or when the reporting frequency is not specifically defined. The "Instantaneous Maximum" is an upper limit. The highest value recorded is reported.

1.11 "Instantaneous Maximum Intervention Limit" is the maximum value that, if exceeded by a single sample, the Permittee must perform specified response actions.

1.12 "Instantaneous Minimum" is the lowest value recorded when continuous monitoring is used or when the reporting frequency is not specifically defined. The "Instantaneous Minimum" is a lower limit. The lowest value recorded is reported.

1.13 "Pathogens" means organisms that are capable of producing an infection or disease in a susceptible host.

1.14 "Sewage Sludge" means solid, semisolid, or liquid residue generated during the treatment of domestic sewage in a treatment works. Sewage sludge includes but is not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment processes, and a material derived from sewage sludge. Sewage sludge does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screenings generated during preliminary treatment of domestic sewage in a treatment works. Sewage sludge that is acceptable and beneficial for recycling on land as a soil conditioner and nutrient source is also known as biosolids.

1.15 "Single Value" is a reported value from a single sample or measurement for which there is no limit.

1.16 "Storm Water" means storm water runoff, snow melt runoff, and surface runoff and drainage.

Chapter 9. Total Facility Requirements

1. Definitions

1.17 "Vector Attraction" means the characteristic of sewage sludge that attracts rodents, flies, mosquitoes, or other organisms capable of transporting infectious agents.

2. Sampling and Analyses

2.1 Samples and measurements required by this permit shall be representative of the monitored activity and shall be analyzed by a laboratory certified by the Minnesota Department of Health for the applicable permitted parameters. Information on laboratory certification is available from the Minnesota Department of Health at (612)676-5243.

Analyses of dissolved oxygen, pH, temperature and total residual chlorine shall be conducted as soon as possible after sample collection, and no later than one hour after collection; these analyses do not need to be completed by a certified laboratory.

2.2 Sample preservation and test procedures for the analysis of pollutants shall conform to 40 CFR Part 136 and Minn. R. 7041.3200.

2.3 The mercury water sampling and analyses required by this permit shall be conducted using the most current revisions of EPA Methods 1669 and 1631. If the EPA approves another mercury analytical method under 40 CFR Part 136 that enables detection of mercury to levels at least as low as those of Method 1631, the Permittee may conduct the mercury water analyses required by this permit using that method.

The other metals analyses required by this permit, except for iron, shall be conducted using low-level detection methods, for example atomic absorption (AA) furnace methods.

2.4 The volatile organics analyses (including but not limited to benzene, toluene, ethylbenzene and xylenes) required by this permit shall be conducted using a purge and trap gas chromatographic method such as EPA Method 602, or a purge and trap gas chromatographic/mass spectrometric method such as EPA Method 624 or 1624.

The polynuclear aromatic hydrocarbon analyses required by this permit shall be conducted using EPA Method 610 with high performance liquid chromatography.

2.5 All monitoring and analytical instruments used to monitor as required by this permit shall be calibrated and maintained at a frequency necessary to ensure accuracy. The Permittee shall measure flows to ensure accuracy within plus or minus ten percent of the true flow values. The Permittee shall maintain written records of all calibrations and maintenance.

2.6 The "sample type", "sampling frequency" and "effective period" identified in the Limits and Monitoring section of this permit together designate the minimum required monitoring frequency.

Chapter 9. Total Facility Requirements

2. Sampling and Analyses

2.7 If the Permittee monitors more frequently than required by this permit, the results and the frequency of monitoring shall be reported on the Discharge Monitoring Report (DMR) or other form for that reporting period.

2.8 For bypasses, upsets, spills or any other discharge that may cause pollution of the waters of the state, the Permittee shall take at least one grab sample for permitted effluent parameters two times per week. If the Permittee believes that measuring these parameters is inappropriate due to known information about the discharge, the monitoring may be modified in consultation with the MPCA. Where there is reason to believe a pollutant other than those limited in the permit is present, the Permittee shall sample for that pollutant. Appropriate sampling shall be determined in consultation with the MPCA.

3. Reporting

3.1 The Permittee shall report monitoring results for the completed reporting period in the units specified by this permit on a Discharge Monitoring Report (DMR) form or other report form provided by the MPCA.

3.2 The Permittee shall report monitoring results below the reporting limit (RL) of a particular instrument as "<" the value of the RL. For example, if an instrument has a RL of 0.1 mg/L and a parameter is not detected at a value of 0.1 mg/L or greater, the concentration shall be reported as "<0.1 mg/L." "Non-detected", "undetected", "below detection limit" and "zero" are unacceptable reporting results, and are permit reporting violations.

3.3 A Discharge Monitoring Report (DMR) shall be submitted for each station even if no discharge occurred during the reporting period. The Permittee shall report 'No Discharge', 'No Flow' or 'No Materials Generated' on a DMR or other monitoring report form only if no discharge, flow or materials are generated during the entire reporting period. The schedule for reporting can be found on the Submittals Summary section of this permit.

3.4 The Permittee shall report the following information on the Discharge Monitoring Report (DMR):

a. any substantial changes in operational procedures;

b. activities which alter the nature or frequency of the discharge; and

c. material factors affecting compliance with the conditions of this permit.

3.5 The Permittee or the duly authorized representative of the Permittee shall sign the reports and documents submitted to the MPCA by the Permittee. Discharge Monitoring Reports (DMRs) shall be signed by both a certified operator and the Permittee's authorized representative.

Chapter 9. Total Facility Requirements

3. Reporting

3.6 A person who falsifies, tampers with, or knowingly renders inaccurate a monitoring device or method required to be maintained under this permit is subject to penalties provided by federal and state law.

3.7 The Permittee shall report noncompliance with the permit not reported under Minn. R. 7001.0150, subp. 3, item K as a part of the next report which the Permittee is required to submit under this permit. If no reports are required within 30 days of the discovery of the noncompliance, the Permittee shall submit the information listed in Minn. R. 7001.0150, subp. 3, item K within 30 days of the discovery of the noncompliance.

3.8 A person who knowingly makes a false statement, representation, or certification in a record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance is subject to penalties provided by federal and state law set forth.

4. Records

4.1 The Permittee shall maintain records for each sample and measurement. The records shall include the following information:

a. the exact place, date and time of the sample or measurement;

b. the date of analysis;

c. the name of the person who performed the sample collection, measurement, analysis, or calculation;

d. the analytical techniques, procedures and methods used; and,

e. the results of the analysis.

4.2 The Permittee shall keep the records required by this permit for at least three years, including any calculations, original recordings from automatic monitoring instruments, and laboratory sheets. The Permittee shall extend these record retention periods upon request of the MPCA and/or during the course of an unresolved enforcement action.

4.3 Except for data determined to be confidential according to Minn. Stat. ch. 116.075, subd. 2, all reports required by this permit shall be available for public inspection at the MPCA St. Paul office. Effluent data shall not be considered confidential. Confidential material shall be submitted according to Minn. R. 7000.1300.

Chapter 9. Total Facility Requirements

4. Records

4.4 The Permittee shall, when requested by the MPCA, submit within a reasonable time the information and reports that are relevant to the control of pollution regarding the construction, modification, or operation of the facility covered by the permit or regarding the conduct of the activity covered by the permit.

5. Intervention Limits

5.1 If an intervention limit is exceeded, the Permittee shall:

a. sample the monitoring station again within two days of receiving sample results if the previous samples at the facility did not exceed the intervention limit;

b. evaluate the significance and the cause of the intervention limit having been exceeded;

c. evaluate the need for immediate corrective action to prevent pollutant levels from exceeding the intervention limits again; and

d. evaluate the need for changes in monitoring, including but not limited to, increasing sampling frequencies, changing the characteristics monitored, installing additional monitoring stations, and reducing pollutant loadings.

5.2 The Permittee shall submit an Intervention Limits Exceeded Report with the DMR that identifies when an intervention limit has been exceeded.

5.3 This report shall describe the evaluations and conclusions, and the schedule of actions taken or planned to prevent the intervention limits from being exceeded.

6. Compliance Responsibility

6.1 The Permittee shall perform the actions or conduct the activity authorized by the permit according to the plans and specifications approved by the agency and in compliance with the conditions of the permit.

6.2 Whether or not this permit includes effluent limitations for toxic pollutants, the Permittee shall not discharge a toxic pollutant except according to 40 CFR sections 400 to 460 and Minn. R. 7050.0100 to 7050.0221 and 7052.0010 to 7052.0110 (applicable to toxic pollutants in the Lake Superior Basin) and any other applicable MPCA rules.

7. Noncompliance

7.1 Noncompliance with the requirements of this permit subjects the Permittee to penalties provided by federal and state law including monetary penalties, imprisonment, or both.

Chapter 9. Total Facility Requirements

7. Noncompliance

7.2 If the Permittee discovers that noncompliance with a condition of the permit has occurred, the Permittee shall:

a. take all reasonable steps to minimize the adverse impacts to human health, public drinking water supplies, or the environment resulting from a permit violation.

b. notify the Minnesota Department of Public Safety Duty Officer at 1(800)422-0798 or (651)649-5451 within 24 hours of becoming aware of a permit violation that may endanger human health, public drinking water supplies or the environment. The Permittee shall submit a written description of the exceedance to the MPCA within five (5) days of discovery of the exceedance.

Nothing in this requirement relieves the Permittee from immediately notifying the MPCA of any release to surface waters of the state.

7.3 If the treatment works fails or is impaired, the Permittee shall halt or limit production or wastewater releases or both, as needed to maintain permit compliance, until the treatment works is restored or alternative treatment is provided. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce production or other permitted activities in order to comply with this permit.

7.4 The Permittee shall submit a written description of any bypass, spill, upset or permit violation during the reporting period to the MPCA with its Discharge Monitoring Report (DMR). If no DMR is required within 30 days, the Permittee shall submit a written report within 30 days of the discovery of the noncompliance. This description shall include the following information:

a. a description of the event including volume, duration, monitoring results and receiving waters;

b. the cause of the event;

c. the steps taken to reduce, eliminate and prevent reoccurrence of the event;

d. the exact dates and times of the event; and

e. steps taken to reduce any adverse impact resulting from the event.

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8. Upset Defense

8.1 In the event of temporary noncompliance by the Permittee with an applicable effluent limitation resulting from an upset at the Permittee's facility due to factors beyond the control of the Permittee, the Permittee has an affirmative defense to an enforcement action brought by the agency as a result of the noncompliance if the Permittee demonstrates by a preponderance of competent evidence:

a. the specific cause of the upset;

b. that the upset was unintentional;

c. that the upset resulted from factors beyond the control of the Permittee and did not result from operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or increases in production which are beyond the design capability of the treatment facilities;

d. that at the time of the upset the facility was being properly operated;

e. that the Permittee properly notified the commissioner of the upset in accordance with Minn. R. 7001.0150, subp. 3, item I; and

f. that the Permittee implemented the remedial measures required by Minn. R. 7001.0150, subp. 3, item J.

9. Duty to Notify and Avoid Water Pollution

9.1 The Permittee shall notify the Minnesota Department of Public Safety Duty Officer at (800)422-0798 or (651)649-5451 immediately of the discharge, accidental or otherwise, of any substance or material under its control which, if not recovered, may cause pollution of waters of the state. Notification is not required for a discharge of five gallons or less of petroleum.

9.2 The Permittee shall report to the Duty Officer all pertinent information regarding the discharge. Refer to the MPCA "Emergency Notification Guidance for Wastewater Treatment Systems" for further information.

9.3 The Permittee shall take all reasonable steps to minimize the adverse impacts to human health, public drinking water supplies or to the environment resulting from the discharge. This may include restricting or preventing untreated or partially treated wastewater, plant chemicals or feedlot materials from entering waterways, containing spilled materials, recycling by-passed wastewater through the plant, or using auxiliary treatment methods.

9.4 The Permittee shall maintain a plan designed to adequately notify the public of potential health threats due to discharges of untreated or partially treated wastewater. The Permittee shall notify the public in accordance with the plan.

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10. Anticipated Bypasses

10.1 The Permittee may allow a bypass to occur if the bypass will not cause an effluent limitation to be exceeded, but only if the bypass is necessary for essential maintenance to assure efficient operation of the facility. The Permittee shall submit notice of the need for the bypass at least ten days before the date of the bypass.

10.2 The notice of the need for a bypass shall include the following information:

a. The proposed date and estimated duration of the bypass.

b. The alternatives to bypassing.

c. The proposed measures to mitigate environmental harm caused by the bypass.

d. A proposal for bypass monitoring.

10.3 A bypass that causes a violation of permit discharge limits or water quality standards is prohibited unless the following conditions are met:

a. The bypass is unavoidable to prevent loss of life, personal injury, or severe property damage. For the purposes of this paragraph, "severe property damage" means substantial damage to property of the Permittee or of others; damage to the wastewater treatment facilities that may cause them to become inoperable; or substantial and permanent loss of natural resources that can be reasonably expected to occur in the absence of a bypass. "Severe property damage" does not mean economic loss as a result of a delay in production.

b. There is no feasible alternative to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or performance of maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance.

c. The Permittee has notified the MPCA of the anticipated bypass and the MPCA has approved the bypass.

11. Facilities Operation

11.1 The Permittee shall properly operate and maintain the systems used to achieve permit compliance. Proper operation and maintenance includes effective performance, adequate funding, adequate staffing and training, and adequate process and laboratory controls, including appropriate quality assurance procedures.

Chapter 9. Total Facility Requirements

11. Facilities Operation

11.2 The Permittee is responsible for insuring system reliability and shall install adequate backup or support systems to achieve permit compliance and prevent the discharge of untreated or inadequately treated waste. These systems may include alternative power sources, auxiliary treatment works and sufficient storage volume for untreated wastes.

11.3 In the event of a reduction or loss of effective treatment of wastewater at the facility, the Permittee shall control production or curtail its discharges to the extent necessary to maintain compliance with the terms and conditions of this permit. The Permittee shall continue this control or curtailment until the wastewater treatment facility has been restored or until an alternative method of treatment is provided.

11.4 The Permittee shall store, transport and dispose of biosolids, sediments, residual solids, filter backwash, screenings, oil, grease and other substances so that pollutants do not enter surface waters or ground waters of the state.

11.5 The facility shall not cause any nuisance conditions, acutely toxic conditions to aquatic life or other adverse impact on the receiving water.

11.6 The Permittee shall comply with all applicable water quality, air quality, solid waste and hazardous waste statutes and rules in the operation and maintenance of the facility.

11.7 The Permittee shall schedule maintenance of the treatment works during non-critical water quality periods to prevent degradation of water quality.

11.8 In-plant control tests shall be conducted at a frequency adequate to ensure continuous efficient operation of the treatment facility.

12. Construction

12.1 Construction related to facility modifications, additions or expansions that is not expressly authorized by this permit requires a permit modification. If the construction project requires an Environmental Assessment Worksheet under Minn. R. 4410, no construction shall begin until a negative declaration has been issued and all approvals have been received or implemented.

12.2 No construction shall begin until the Permittee has received written approval of plans and specifications for the construction from the MPCA.

13. Chemical Additives

13.1 The Permittee shall receive prior written approval from the MPCA before increasing the use of a chemical additive authorized by this permit, or using a chemical additive not authorized by this permit. "Chemical additive" includes processing reagents, water treatment products, cooling water additives, freeze conditioning agents, chemical dust suppressants, detergents and solvent cleaners used for equipment and maintenance cleaning, among other materials.

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13. Chemical Additives

13.2 The Permittee shall request approval for an increased or new use of a chemical additive at least 60 days before the proposed increased or new use.

13.3 This written request shall include the following information for the proposed additive:

a. Material Safety Data Sheet.

b. A complete product use and instruction label.

c. The commercial and chemical names of all ingredients.

d. Aquatic toxicity and human health or mammalian toxicity data including a carcinogenic, mutagenic or teratogenic concern or rating.

e. Environmental fate information including, but not limited to, persistence, half-life, intermediate breakdown products, and bioaccumulation data.

f. The proposed method, concentration, and average and maximum rates of use.

g. If applicable, the number of cycles before wastewater bleedoff.

h. If applicable, the ratio of makeup flow to discharge flow.

The unavailability of any of the above information may provide the basis for MPCA denial of a proposed increased or new use of a chemical additive.

13.4 This permit may be modified to restrict the use or discharge of a chemical additive.

14. Special Requirements

14.1 The Permittee shall prevent the drainage of alkyl phenol- and alkylphenol ethoxylate-containing products toward station WS005 and the mine pits at the facility.

14.2 The Permittee shall not take actions that may cause pollutants generated by the former Kinney Landfill to exceed water quality standards in ground water or surface water at the facility.

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15. Permit Modification, Suspension or Revocation

15.1 This permit may be modified, suspended, or revoked for the following reasons:

a. A violation of permit requirements.

b. Misrepresentation or failure to disclose fully all relevant information to obtain the permit.

c. A change in a condition that alters the discharge.

d. The establishment of a new or amended pollution standard, limitation or effluent guideline that is applicable to the permitted facility or activity.

e. Failure to pay permit fees.

f. Other reasons listed in Minn. R. 7001.0170.

16. Permit Modifications

16.1 Changes to the facility or operation of the facility may require a permit modification. The Permittee shall submit an application describing the changes to the facility or operation to the MPCA and receive a permit modification prior to implementing the changes. The Permittee must submit the permit modification application fee in accordance with Minn. R. 7002.0250 with the application.

16.2 As part of the application for a new discharge, the Permittee shall include the following:

a. the detailed proposed plans and specifications for the proposed methods of achieving discharge limits, based in part upon representative water quality data for the untreated wastewater;

b. a detailed map and diagram description of the proposed design for the flow control structures; and

c. the proposed route of the discharge to receiving waters.

Chapter 9. Total Facility Requirements

16. Permit Modifications

16.3 The following changes may require a permit modification, and shall be proposed to the MPCA before implementation:

a. Proposed changes to the facility described in the "Permitted Facility Description" of this permit, including the increased use or new use of a chemical additive.

b. Changes in the characteristics, concentrations or frequency of the wastewater flow. These changes may include: an increase in design discharge greater than 200,000 gal/day; an increase in the mass loading discharge of a toxic pollutant that is likely to increase the concentration of the pollutant in the receiving water by more than one percent over the baseline receiving water quality; significant rerouting of wastewater for land disposal; or significant changes in the levels of indicator characteristics.

c. Changes in biosolids or residual solids use and disposal practices.

16.4 The procedures as set forth in Minn. R. 7001.0100 through 7001.0130, including public notice, apply to applications for permit modifications, with the following exceptions:

a. Modifications solely as to ownership or control as described in Minn. R. 7001.0190, subp. 2.

b. Minor modifications as described in Minn. R. 7001.0190, subp. 3.

16.5 No permit may be assigned or transferred by the holder without the approval of the MPCA. A person to whom the permit has been transferred shall comply with the conditions of the permit.

17. Permit Reissuance

17.1 The Permittee shall Submit an application for permit reissuance by 180 days before permit expiration.

17.2 The permit application shall include analytical data as part of the application for reissuance of this permit. These analyses shall be done on individual samples taken during the twelve-month period before the reissuance application is submitted. The application shall identify the sampling date(s).

Chapter 9. Total Facility Requirements

17. Permit Reissuance

17.3 The permit application shall include analytical data for at least the following parameters at each of the designated outfalls and at station WS005:

a. biochemical oxygen demand, chemical oxygen demand, total organic carbon, gasoline range organics, pyrene, fecal coliform, ammonia, temperature, diesel range organics;

b. color, fluoride, nitrate-nitrite (as nitrogen), total organic nitrogen, total phosphorus, bromide, chloride, sulfate, sulfide (as sulfur), surfactants, bicarbonates, alkalinity, total dissolved solids, specific conductance, turbidity;

c. aluminum, antimony, arsenic, barium, beryllium, boron, cadmium, calcium, chromium, cobalt, copper, iron, lead, lithium, magnesium, manganese, molybdenum, nickel, potassium, selenium, silver, sodium, strontium, thallium, tin, titanium, vanadium, zinc (all in total form) using atomic absorption (AA) furnace methods according to 40 CFR Part 136.3;

d. gross alpha particles, radium-226, radium-228, radon-222, uranium;

e. PCB-1016, PCB-1221, PCB-1232, PCB-1242, PCB-1248, PCB-1254, PCB-1260; and

f. a scan of constituents using EPA Methods 624 and 625, in 40 CFR Part 136. The Permittee shall identify, in addition to those pollutants noted in Methods 624 and 625 (Appendix D, Table II), the concentrations of at least ten of the most abundant constituents of the acid and base/neutral organic fractions shown to be present by peaks on the total ion plots (reconstructed gas chromatograms) within ten percent of the nearest internal standard. Identification shall be through the use of U.S. EPA/NIH computerized library of mass spectra, with visual confirmation and potential quantification.

17.4 If a particular pit dewatering outfall is not discharging at the time of permit reissuance sampling, the Permittee may substitute sampling from an outfall that directly dewaters the same portion of the pit, or sampling from the pit waters directly. If the Permittee substitutes such sampling, the permit application shall include an explanation for each particular substituted outfall.

17.5 The permit application shall include analytical data for at least the following parameters at each of the designated stations:

a. Stations GW001, GW002, GW003: Sulfate, chemical oxygen demand, fecal coliform; and

b. Stations WS002, WS003, WS004: Benzene, ethylbenzene, toluene, m-xylene, o-xylene, p-xylene.

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17. Permit Reissuance

17.6 If the Permittee has submitted a timely application for permit reissuance, the Permittee may continue to conduct the activities authorized by this permit, in compliance with the requirements of this permit, until the MPCA takes final action on the application, unless the MPCA determines one of the following:

a. The Permittee is not in substantial compliance with the requirements of this permit, or with a stipulation agreement or compliance schedule designed to bring the Permittee into compliance with this permit.

b. The MPCA, as a result of an action or failure to act by the Permittee, has been unable to take final action on the application on or before the expiration date of the permit.

c. The Permittee has submitted an application with major deficiencies or has failed to properly supplement the application in a timely manner after being informed of deficiencies.

17.7 If the Permittee does not intend to continue the activities authorized by this permit after the expiration date of this permit, the Permittee shall apply for reissuance of the permit in order to authorize facility closure, at least 180 days before the expiration date of this permit. The MPCA may require the Permittee to apply for reissuance or major modification of this permit in order to authorize activities related to facility closure.

18. Facility Closure

18.1 Facility closure that could result in a potential long-term water quality concern, such as the ongoing discharge of wastewater to surface or ground water, may require permit modification or reissuance. For proposed closure activities, the Permittee shall submit an application for permit modification or reissuance at least 180 days before the proposed closure activities are planned to be implemented.

18.2 The Permittee is responsible for closure and postclosure care of the facility. The Permittee shall notify the MPCA of a significant reduction or cessation of operations described in this permit "Permitted Facility Description."

18.3 The MPCA may require the Permittee to submit a Pollution Control Closure Plan for MPCA approval. This Plan, if required, shall be in addition to requirements specified by Minn. R. ch. 6130, Mineland Reclamation Rules. If a Plan is required, the MPCA will inform the Permittee in writing of this request, and will state the site-specific concerns that the Plan shall address and the date by which the Plan shall be completed. The Plan shall provide for the implementation, including continued maintenance if necessary, of Best Management Practices and Best Available Technology and shall assure compliance with the applicable statutes, rules and regulations administered by the MPCA. If a Plan is required, closure activities shall not proceed until this Plan is approved by the MPCA.

Chapter 9. Total Facility Requirements

18. Facility Closure

18.4 The MPCA may require the Permittee to establish financial assurance for closure, postclosure care and remedial action at the facility.

19. Inspection And Entry

19.1 The Permittee shall allow a representative of the MPCA, in accordance with Section 308 of the Clean Water Act and Minn. Stat. ch. 115.04, and upon presentation of proper credentials, to:

a. enter the premises where the facility is located or activity conducted;

b. review and copy the records required by this permit;

c. inspect the facilities, systems, equipment, practices or operations regulated or required by this permit;

d. sample or monitor to determine compliance; and

e. bring equipment upon the Permittee's premises necessary to conduct surveys and investigations.

20. Property Rights

20.1 The permit does not convey a property right or an exclusive privilege.

21. Liability Exemption

21.1 In issuing this permit, the state and the MPCA assume no responsibility for damage to persons, property, or the environment caused by the activities of the Permittee in the conduct of actions, including those activities authorized, directed, or undertaken to achieve compliance with this permit. To the extent the state and MPCA may be liable for the activities of its employees, that liability is explicitly limited to that provided in the Tort Claims Act, Minn. Stat. 3.736.

21.2 The MPCA's issuance of this permit does not obligate the MPCA to enforce local laws, rules or plans beyond what is authorized by Minnesota Statutes.

22. Liabilities

22.1 The MPCA's issuance of this permit does not release the Permittee from any liability, penalty or duty imposed by Minnesota or federal statutes or rules or local ordinances, except the obligation to obtain the permit.

22.2 The issuance of a permit does not prevent the future adoption by the MPCA of pollution control rules, standards or orders more stringent than those now in existence and does not prevent the enforcement of these rules, standards or orders against the Permittee.

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23. Severability

23.1 The provisions of this permit are severable, and if any provisions of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.

24. Incorporation By Reference

24.1 The Permittee shall comply with the provisions of 40 CFR Parts 122.41 and 122.42, Minn. R. 7001.0150, subp. 3, and 7001.1090, which are incorporated into this permit by reference, and are enforceable parts of this permit.